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FACSIMILE COVER SHEET

Number of pages, including cover sheet 6.

TO : Commissioner for Patents

FAX #: (703) 872-9306

FROM: Howard M. Cohn

DATE : 1-14-04

RE : Terminal Disclaimer

YOUR REFERENCE NUMBER : 09/545,929.

OUR FILE NUMBER : _____

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CENTRAL FAX CENTER

JAN 14 2004

OFFICIAL

MESSAGE:

Following Mr. Vargot request,

Please find attached the following documents

Which were filed on December 4, 2003 in response to the Office Action.

1. Transmittal Letter.
2. Two Terminal Disclaimers
3. Copy of the postcard which was received at your office on December 8, 2003.

Howard M. Cohn

S.A.L.

CONFIDENTIALITY NOTICE

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JAN 14 2004

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re : Application of Brown et al.
For : **TIRE CONSTRUCTION METHOD FOR IMPROVING TIRE
UNIFORMITY**
Serial No. : 09/545,929
Filed : April 10, 2000
Group Art Unit : 1732
Examiner : Mathieu D. Vargot
Our Docket No. : DN2000-067

December 4, 2003

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Enclosed is an Amendment and two Terminal Disclaimers in response to the Office Action dated September 15, 2003 having a period for response set to expire on December 15, 2003.

The Commissioner is hereby authorized to charge any additional filing fees which may be required or credit any overpayment to Deposit Account No. 07-1725.

Respectfully submitted,



Howard M. Cohn
Reg. No. 25,808

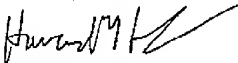
Howard M. Cohn
c/o Bruce Hendricks Dept. 823
The Goodyear Tire & Rubber Company
1144 East Market Street
Akron, Ohio 44309-3531
Voice (216) 752-0955
Fax (216) 752-0957

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: COMMISSIONER FOR PATENTS P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 4, 2003.

Name of Person Mailing : Howard M. Cohn

Signature of Person Mailing :



Date of Signature : December 4, 2003

Gy293us 2amtr

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

 Docket No.
DN2000067USA

In re Application of: **Brown et al.**
 Application No. **09/545,929**
 Filed: **April 10, 2006**
 For: **TIRE CONSTRUCTION METHOD FOR IMPROVING TIRE UNIFORMITY**

The owner, **The Goodyear Tire & Rubber Company**, of **100.00** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **09/511,546**, filed on **February 23, 2000**.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$110.00** and is to be paid as follows:

☐ A check in the amount of the fee is enclosed.

☒ The Director is hereby authorized to charge any fees which may be required; or credit any overpayment, to Deposit Account Number **07-1725**.

PTO suggested wording for terminal disclaimer was

☐ unchanged. ☐ changed (if changed, an explanation should be supplied.)

Howard M. Cohn
 Signature

Dated: **12-4-03**

Name and Address of Person Signing

Howard M. Cohn
21625 Chagrin Blvd. Suite 220
Cleveland, Ohio 44122
(216) 752-0955 phone
(216) 752-0957 fax

I certify that this document and fee is being deposited on **12-4-03** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Howard M. Cohn
 Signature of Person Mailing Correspondence

Howard M. Cohn
 Typed or Printed Name of Person Mailing Correspondence

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

 Docket No.
DN2000067USA

 In re Application of: **Brown et al.**
 Application No. **09/545,929**
 Filed: **April 10, 2000**
 For: **TIRE CONSTRUCTION METHOD FOR IMPROVING TIRE UNIFORMITY**

The owner, **The Goodyear Tire & Rubber Company** of **100.00** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **09/510,859**, filed on **February 23, 2000**.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

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Howard M. Cohn
Signature of Person Mailing Correspondence

Howard M. Cohn
Typed or Printed Name of Person Mailing Correspondence

Docket No. DN2000-067 (CY-29365)Serial/Patent No. 09/545,929The date stamp of the Patent & Trademark Office
hereon confirms the date the following was received:

- ☐ New Application
☐ Filing Date
☐ Assignment
☐ Drawing
☐ Notice of Appeal
☐ Appeal Brief
☐ Power of Att.
☐ Fee
☒ Resp. to O.A.
☐ Cont. Doc.
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PTO: Please stamp and return.

☒ 2 Terminal disclaimers
Transmittal letter

No. 9012 Patent receipt card. 9-02

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